



General Assembly

January Session, 2011

Committee Bill No. 377

LCO No. 4119

04119SB00377VA_

Referred to Committee on Select Committee on Veterans' Affairs

Introduced by:
(VA)

***AN ACT CONCERNING INTEREST OWED ON PROPERTY TAXES BY
MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-146 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011, and*
3 *applicable to assessment years commencing on or after October 1, 2011*):

4 Unless the context otherwise requires, wherever used in this section,
5 "tax" includes each property tax and each installment and part thereof
6 due to a municipality as it may have been increased by interest, fees
7 and charges. If any tax due in a single installment or if any installment
8 of any tax due in two or more installments is not paid in full (1) on or
9 before the first day of the month next succeeding the month in which it
10 became due and payable, or if not due and payable on the first day of
11 the month, (2) on or before the same date of the next succeeding month
12 corresponding to that of the month on which it became due and
13 payable, the whole or such part of such installment as is unpaid shall
14 thereupon be delinquent and shall be subject to interest from the due
15 date of such delinquent installment. Except for unpaid real estate taxes
16 the collection of which was, or is, deferred under the provisions of

17 section 12-174, and any predecessor and successor thereto, which
18 unpaid real estate taxes continue to be subject to the provisions of such
19 deferred collection statutes, the delinquent portion of the principal of
20 any tax shall be subject to interest at the rate of eighteen per cent per
21 annum from the time when it became due and payable until the same
22 is paid, subject to a minimum interest charge of two dollars which any
23 municipality, by vote of its legislative body, may elect not to impose,
24 and provided, in any computation of such interest, under any
25 provision of this section, each fractional part of a month in which any
26 portion of the principal of such tax remains unpaid shall be considered
27 to be equivalent to a whole month. Each addition of interest shall
28 become, and shall be collectible as, a part of such tax. Interest shall
29 accrue at said rate until payment of such taxes due notwithstanding
30 the entry of any judgment in favor of the municipality against the
31 taxpayer or the property of the taxpayer. Except as hereinafter
32 specified for taxes representing two or more items of property, the
33 collector shall not receive any partial payment of a delinquent tax
34 which is less than the total accrued interest on the principal of such tax
35 up to the date of payment and shall apply each partial payment to the
36 wiping out of such interest before making any application thereof to
37 the reduction of such principal; provided, whenever the first partial
38 payment is made after delinquency, interest from the due date of such
39 delinquent tax to the date of such partial payment shall be figured on
40 the whole or such part of the principal of such tax as is unpaid at the
41 beginning of delinquency and provided, whenever a subsequent
42 partial payment of such tax is made, interest shall be figured from the
43 date of payment of the last-preceding, to the date of payment of such
44 subsequent, partial payment on the whole or such balance of the
45 principal of such tax as remains unpaid on the date of the last-
46 preceding partial payment. If any tax, at the time of assessment or
47 because of a subsequent division, represents two or more items of
48 property, the collector may receive payment in full of such part of the
49 principal and interest of such tax as represents one or more of such
50 items, even though interest in full on the entire amount of the principal

51 of such tax has not been received up to the date of such payment; in
 52 which event, interest on the remaining portion of the principal of any
 53 such tax shall be computed, as the case may be, from the due date of
 54 such tax if no other payment after delinquency has been made or from
 55 the last date of payment of interest in full on the whole amount or
 56 unpaid balance of the principal of such delinquent tax if previous
 57 payment of interest has been made. Each collector shall keep a separate
 58 account of such interest and the time when the same has been received
 59 and shall pay over the same to the treasurer of the municipality of the
 60 collector as a part of such tax. No tax or installment thereof shall be
 61 construed to be delinquent under the provisions of this section if the
 62 envelope containing the amount due as such tax or installment, as
 63 received by the tax collector of the municipality to which such tax is
 64 payable, bears a postmark showing a date within the time allowed by
 65 statute for the payment of such tax or installment. Any municipality
 66 may, by vote of its legislative body, require that any delinquent
 67 property taxes applicable with respect to a motor vehicle shall be paid
 68 only in cash or by certified check or money order. Any municipality
 69 adopting such requirement may provide that such requirement shall
 70 only be applicable to delinquency exceeding a certain period in
 71 duration as determined by such municipality. Any municipality shall
 72 waive all or a portion of the interest due and payable under this
 73 section on a delinquent tax with respect to a taxpayer who has
 74 received compensation under chapter 968 as a crime victim. Any
 75 municipality may waive all or a portion of the interest accrued on any
 76 delinquent tax owed by a member of the armed forces, as defined in
 77 subsection (a) of section 27-103, who was on active duty and absent
 78 from this state when such tax was due and such interest accrued.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011, and applicable to assessment years commencing on or after October 1, 2011</i>	12-146

Statement of Purpose:

To provide municipalities with the option of waiving the interest accrued on any property tax if such interest is owed by a member of the armed forces who was on active duty outside of Connecticut at the time such tax was due and such interest accrued.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; REP. DILLON, 92nd Dist.

S.B. 377